

60130-1371  
OOMRA0030**REMARKS**

Reconsideration and allowance are respectfully requested. Claims 12-16 and 18-30 are currently pending and stand finally rejected by the Examiner. Applicant has amended claims 14, 16, 19, 21, 23, 26, 27 and 30. No new matter has been added. The foregoing amendment and the following remarks place this application in condition for allowance or, in the alternative, in better form for appeal. Entry of this Amendment is therefore respectfully requested. Reconsideration and allowance are respectfully requested.

The amendments to claims 14, 16, 19, 21, 23, 26, 27 and 30 and the changes to the specification have no connection with any rejections in this application.

**Formal issues**

The Examiner objected to the drawings stating that Figure 1D fails to show element 10B. Applicant respectfully notes, however, that Figure 1D is a broken, section view of Figures 1A, 1B and 1C and omits the middle portion of the vehicle door, where element 10B resides. The final paragraph on page 6 of the specification even states that in Figure 1D, the profile 10B is "deleted for clarity reasons." Thus, Figure 1D does not contain any informalities.

The Examiner also states that Figures 1A, 1B and 1C are not attached together, and therefore the entire figure is misrepresented. Figures 1A, 1B and 1C are not meant to be attached together because each figure shows a different component of the vehicle door. Figure 1A illustrates the interior shell 12, Figure 1B illustrates the frame structure 10, and Figure 1C illustrates the exterior shell 14. Figure 1D illustrates these three components when attached together. Withdrawal of the objection to the drawings is therefore respectfully requested.

**§102 rejections**

Claims 12-16, 18, 19, 21-28 and 30 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,469,668 to Heim et al. ("Heim"). Applicant respectfully traverses this rejection.

Heim does not disclose a configuration designed to hold a window pane apart from a frame structure and therefore fails to anticipate the claimed invention. The claimed vehicle door

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includes at least one coupling member disposed in at least one guide element in a frame structure for holding a window pane apart from the frame structure. In Heim, the frame 9 includes guide grooves 15, 16 to hold a window pane 10 in the frame 9 and separate guide channels 43 to accommodate a push-pull cable 44. As shown in Figure 6 of Heim, the edge 17 of the window pane 10 is received in a sealing element 21 of the window frame 9. Because of the sealing element 21, the window pane 10 of Heim is held within the frame 9, not apart from the frame 9 as claimed. The invention of claims 12-16, 18, 19, 21-28 and 30, by contrast, is designed to hold the window pane apart from the frame structure. Because Heim requires the edges 17 of the window pane 10 to be held within the frame 9, Heim does not anticipate claims 12-16, 18, 19, 21-28 and 30. Applicant respectfully requests that the rejection be withdrawn.

Claims 23 and 30 are also not anticipated. Heim does not disclose a guide element and an edge guide element that receive an edge of a window pane and that form a continuous recess disposed in a single plane. The Examiner states that the entraining member 47 and the window pane 10 are in "substantially" the same plane as the frame 3, and therefore claim 23 is anticipated. Claims 23 and 30 recite that the guide element and the edge guide element form a continuous recess and are disposed in the same plane. The guide element receives a window regulator arrangement, and the edge guide element receives an edge of a window pane. In Heim, the grooves 15 and 16 in the sealing element 21 receive the edge 17 of the window pane 10, and the guide channels 43 receive the push/pull cable 44. As shown in Figure 6, the grooves 15 and 16 and the guide channels 43 are not in the same plane as claimed, but are in different parallel planes. Claims 23 and 30 are not anticipated by Heim, and Applicant respectfully requests that the rejection be withdrawn.

Withdrawal of the rejection of claims 12-16, 18, 19, 21-28 and 30 is therefore respectfully requested.

#### §103 rejection

Claims 20 and 29 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Heim in view of U.S. Patent No. 6,039,384 to Schulte et al. ("Schulte"). The Examiner states that Schulte teaches a structure of aluminum, and it would be obvious to form the frame structure of Heim of aluminum. Applicant respectfully traverses this rejection. Claims 20 and 29 depend

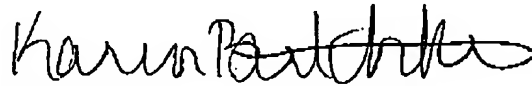
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on patentable claims 12 and 24, respectively, and are therefore patentable for the reasons explained above. Combining Heim with Schulte still fails to teach the claimed invention because Schulte does not show any relationship between its window frame and a window pane, much less the relationship recited in the claims. Therefore, even if Heim and Schulte were combined, the combination does not disclose, suggest or teach a vehicle door including a coupling member disposed in a guide element of a frame structure for holding a window pane apart from the frame structure. The Office Action therefore fails to establish a prima facie case of obviousness with respect to claims 20 and 29, and withdrawal of the rejection is respectfully requested.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited.

Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,



Karin H. Butchko, Reg. No. 45,864  
Carlson, Gaskey & Olds  
400 W. Maple Road, Ste. 350  
Birmingham, MI 48009  
(248) 988-8360

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